

**REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed May 12, 2004. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

The Office Action indicates that restriction to one of the following inventions is required under 35 U.S.C. §121: Species I, wherein the ARC layer has a tensile stress and the stress-balancing layer has a compressive stress; and Species II, wherein the ARC layer has a compressive stress and the stress-balancing layer has a tensile stress. Applicant elects prosecution of the claims of "Species" I with traverse.

Applicant respectfully asserts that pending claim 1 is generic as to the two "species." Applicant also respectfully asserts that Examination can be performed based on the generic claim 1. However, in order to comply with Applicant's duty to elect a "species" for continued prosecution, Applicant hereby provisionally elects claims 11-17, *i.e.* identified as Species 1 by the examiner, for prosecution.

Applicant expressly reserves the right to present the non-elected claims, or variants thereof, in continuing applications to be filed subsequent to the present application. Should the Examiner have any questions regarding this response, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

  
\_\_\_\_\_  
Daniel R. McClure, Reg. No. 38,962

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
100 Galleria Parkway N.W., Suite 1750  
Atlanta, Georgia 30339  
(770) 933-9500